

EDWARD H. KUBO, JR. (2499)

United States Attorney

District of Hawai'i

HARRY YEE (3790)

Assistant United States Attorney

Room 6-100, PJKK Federal Building

300 Ala Moana Boulevard

Honolulu, Hawai'i 96850

Telephone: (808) 541-2850

Facsimile: (808) 541-3752

Email: [harry.yee@usdoj.gov](mailto:harry.yee@usdoj.gov)

MATTHEW J. MCKEOWN

Acting Assistant Attorney General

JAMES D. GETTE

BARRY A. WEINER

Trial Attorneys

United States Department of Justice

Environment & Natural Resources Division

P.O. Box 663

Washington, D.C. 20044-0663

Telephone: (202) 305-1461

Facsimile: (202) 305-0274

Email: [james.gette@usdoj.gov](mailto:james.gette@usdoj.gov)

Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

	)	CIVIL NO.04-00502 DAE BMK
ILIO'ULAOKALANI COALITION, a	)	
Hawaii, nonprofit corporation; NA'IMI PONO,	)	
a Hawaii unincorporated association; and	)	DECLARATION OF JAMES D. GETTE;
KIPUKA, a Hawaii unincorporated association,	)	EXHIBITS 1 TO 5
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ROBERT M. GATES, Secretary of United	)	<u>Non-Hearing Motion</u>
States Department of Defense; and	)	
FRANCIS J. HARVEY, Secretary of the	)	
United States Department of the Army,	)	
	)	
Defendants.	)	
	)	

I, JAMES D. GETTE, declare under penalty of perjury that:

1. I am a trial attorney with the U.S. Department of Justice, Environment & Natural Resources Division, and with Harry Yee, Assistant U.S. Attorney for the District of Hawaii, serve as co-counsel for the Federal Defendants in this matter.

2. I make this declaration in support of the Federal Defendants' Opposition to Plaintiffs' Motion to Clarify that is filed herewith. This declaration is based on my personal knowledge, and I am competent to testify about the matters contained herein.

3. Attached hereto as Exhibit "1" are excerpts of a true and correct copy of the Deposition of Ronald L. Borne, taken on December 4, 2006.

4. Attached hereto as Exhibit "2" is a true and accurate copy of Figure 2-3 from the site-specific Final Environmental Impact Statement, Transformation of the 2<sup>nd</sup> Brigade, 25<sup>th</sup> Infantry Division (Light) to a Stryker Brigade Combat Team in Hawai`i, which is part of the Administrative Record in this matter.

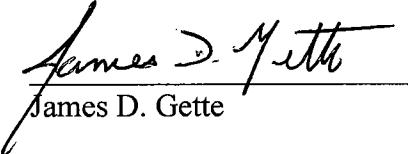
5. Attached hereto as Exhibit "3" is a true and accurate copy of Figure 2-5 from the site-specific Final Environmental Impact Statement, Transformation of the 2<sup>nd</sup> Brigade, 25<sup>th</sup> Infantry Division (Light) to a Stryker Brigade Combat Team in Hawai`i, which is part of the Administrative Record in this matter.

6. Attached hereto as Exhibit "4" are excerpts of a true and correct copy of the Deposition of Colonel Stefan J. Banach, taken on December 7, 2006.

7. Attached hereto as Exhibit "5" are true and accurate copies of pages 2-40 and 2-41 from the site-specific Final Environmental Impact Statement, Transformation of the 2<sup>nd</sup> Brigade, 25<sup>th</sup> Infantry Division (Light) to a Stryker Brigade Combat Team in Hawai`i, which is part of the Administrative Record in this matter.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Executed this 13<sup>th</sup> day of February, 2007

  
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James D. Gette